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*The comments of this pre-application are preliminary in nature and subject to change based upon the submittal of additional or different information. The Planning Commission or City Council are the final decision-making authority of the City and are not bound by the comments made by the Staff as part of this pre-application.*

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ASHLAND PLANNING DEPARTMENT  
PRE-APPLICATION CONFERENCE  
COMMENT SHEET  
October 8, 2025

**SITE:** 431 N Main St  
**APPLICANT:** Rogue Planning for Dougherty  
**REQUEST:** Performance Standards Subdivision Option (PSO) for a 4-lot subdivision and Single Room Occupancy (SRO)

### **PLANNING STAFF COMMENTS:**

*This pre-application conference is intended to highlight significant issues of concern to staff and bring them to the applicant's attention prior to their preparing a formal application submittal.*

**Summary:** The property is currently developed with eight residential units, constructed in the late 1800s. The proposal includes demolishing the existing structure and dividing the lot into four residential lots, each with one single-family dwelling, with Lot 4 operating as a six-unit single room occupancy (SRO) which staff understand to be six rentable rooms sharing a single common kitchen.

The proposal would be required to utilize the Performance Standards Options chapter (AMC 18.3.9). The focus of a PSO application should be on the sensitive addition of new homes to the neighborhood, with thoughtful site planning which considers multi-modal connectivity, and lot lay-out and home designs that are compatible with the existing, established neighborhood while maintaining and protecting any significant natural features and historic character. For a Performance Standards Options subdivision with less than ten units, the approval process can be done under a single "Type II" procedure through a hearing before the Planning Commission, or can be done in two parts, starting with the Type II for the Outline Plan and followed up by the Type I for Final Plan.

**Condition of House/Demolition:** According to the pre-application materials submitted, the structure has gone through an economic feasibility report and is recommended to be demolished. If the property owner wants to proceed with demolition review, they will need to consult with Building Official Steven Matiaco regarding demolition permit requirements. If a demolition permit is requested, then a redevelopment plan should be provided with the application.

**Single Room Occupancy (SRO's):** The city's current limit for single-family residences to house five or fewer unrelated individuals runs counter to Fair Housing law, and as such staff would not see an issue with there being six bedrooms (sharing a common kitchen) to be rented separately for long-term needed housing. A code amendment is being initiated to bring code language in line with Fair Housing law. As written in ORS 197A.430, "*single-room occupancy means a residential development with no fewer than four attached or detached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy.*" And "*With up to six units on each lot or parcel zoned to allow for the development of a detached single-unit dwelling; and with up to three times the number of units allowed by the maximum density standards of a lot or parcel on which is allowed multiunit housing with five or more dwelling units.*" Please see additional comments from the Building Official, Steven Matiaco at the end of this document.

**Driveway Location and Separation Requirements (AMC 18.4.3.080.C.3):** Driveways are required to be separated by a minimum of 24 feet. The City’s standards seek to consolidate driveways to have a minimum number of accesses that create pedestrian and vehicle conflicts. The pre-application materials state that the proposed driveway separation is approximately 24’ to meet the separation standard. *The applicant may wish to consider identifying a driveway location off of Nursery Street for Lot #4 to provide future options.*

**Setbacks (AMC Table 18.3.9.070):** Lots created by PSO are required to meet the parent parcel perimeter setbacks and front yard setback for the new lots for the underlying zone. Front yard setbacks within the historic districts for the R-2 zone are 20 feet. The final application will need to include building envelopes complying with both perimeter and front yard setbacks in a historic district – **this would necessitate providing 20-foot front yards along Nursery Street for Lots 1, 2 & 3.**

**Solar Access Performance Standards (AMC 18.4.8.020):** All newly created lots must meet Solar Setback “Standard A”. This requires that structures on each lot cast no more shadow on the lot(s) to the north than a six-foot high fence on the lot’s north property line. The setback requirement is determined through the following formula:  $\{SSB = (H-6) / (0.445 + S)\}$  where SSB is the required solar setback from the north property line, H is the height of the shadow producing point(s) of a building, and S is the average slope of the lot calculated 150 feet north of the midline of the property, as detailed in AMC 18.4.8.030. The application must demonstrate that a 21-foot-tall structure can be located on all proposed lots and meet “Standard A” with a solar setback which does not exceed 50 percent of each lot’s north-south dimension (See AMC 18.4.8.040), or identify a solar envelope making clear what heights could be placed on each lot to comply with *Standard A*. (For solar purposes, the northern property line would be considered the northern boundary of any right-of-way immediately to the north of the subject property.)

**Adequate Capacity of Public Utilities:** The applicant is responsible for determining if adequate water, sanitary sewer, storm sewer, and electricity services, and paved access/adequate transportation are available or can be extended to serve the proposed development. The Site Plan must show the location and size of the public utility lines that will serve the proposed parcels and detail service locations for each proposed lot, and plans will not be deemed complete without a utility plan which includes an Electric Department-approved electric service plan.

**Lot Coverage (AMC 18.2.5.030.A):** The maximum lot coverage allowed in this zoning district is 65 percent of the lot area. Lot coverage includes all impervious surfaces (i.e. buildings, driveways, walkways, other pavement and soil disturbances which do not allow for normal water infiltration to the soil). Permeable paving systems for driveways and patio areas cannot be considered landscaping and are required to be included in the lot coverage calculations. Applicant provided the square footage of the lot and the proposed lot coverage but did not specify the size of the structures, driveways, landscaped areas, etc. A detailed breakdown of the lot coverage will be required once the final designs are submitted for building permits. **As proposed, it appears that Lot 1 exceeds the allowed lot coverage; development of the lot would need to be adjusted to comply with the coverage limits or a Variance requested.**

**Density:** The base density in the R-2 zone is 13.5-dwelling units per acre. For the subject property, this equates to 0.35 acres x 13.5 du/acre = 4.725 dwelling units as a base density. It is proposed to be one full-size residential dwelling unit per new lot, which brings the total proposed density to 4 units. *This is within the allowed density.* Affordable housing is not required unless seeking the related

density bonus.

**Building Separation:** The final application would need to demonstrate compliance with the PSO Building Separation requirements from 18.3.9.070.B. which requires separation equal to one-half the height of the tallest building, where building height is measured at the two closest exterior walls. *The maximum separation required is 12 feet, and the six-foot setbacks shown on each lot would satisfy this requirement.*

## **Historic**

**Historic District:** The Historic Preservation Advisory Committee Review Board will require concept and design materials, colors, etc. for their review of the building permits. The final building permit submittals should include necessary submittals to review the design for compliance with the Historic District Development Standards of 18.4.2.050. (ie. including scalable elevations of all sides and clear details of materials and trim, see AMC 18.5.2.040.B.). *Applicants can request a meeting at the HPAC Review Board meeting ahead of applying for their application to get design feedback and make design modifications prior to submittal.*

**Maximum Permitted Floor Area (MPFA):** AMC 18.2.5.070 provides for the Maximum Permitted Floor Area in Historic districts. A final application would need to detail the amount of GHFA that is within the historic district. This property has no record of a survey in modern times. A survey will be required to verify the lot sizes to determine the MPFA for each lot. Based on the assessor's data, the lot is approximately 0.35 acres, or 15,246 SF. Applicant's materials indicate that the new lots will range from approximately 3,180 SF to 4,932 SF as outlined below. Using the MPFA formula (Lot area x Adj. Factor = Adjusted lot area x graduated FAR = MPFA) we can determine the allowed MPFA per lot:

Parent Parcel SFR development:  $15,246 \text{ SF} \times 0.56 = 8,537.76 \times 0.38 = 3,244.35 \text{ SF}$

Parent Parcel 4-unit development:  $15,246 \text{ SF} \times 0.56 = 8,537.76 \times 0.44 = 3,756.61 \text{ SF}$

Individual Lot MPFA:

Lot 1:  $3,995 \times 1.08 = 4,271.4 \times 0.38 = 1,623.13 \text{ SF}$

Lot 2:  $3,184 \times 1.12 = 3,566.08 \times 0.38 = 1,355.11 \text{ SF}$

Lot 3:  $3,180 \times 1.12 = 3,561.6 \times 0.38 = 1,353.41 \text{ SF}$

Lot 4:  $4,932 \times 1.00 = 4,932 \times 0.38 = 1,874.16 \text{ SF}$

Maximum MPFA cannot exceed 3,249 square feet, regardless of lot size in single-family developments. This maximum does not apply for multi-family developments.

The land use ordinance provides the potential to request a Conditional Use Permit to exceed the MPFA by up to 25 percent. This potential brings with it a greater requirement to address the Historic District Development standards and architectural compatibility with the historic district and surrounding neighborhood. Condition use permit review would consider elevation drawings with doors/windows, colors, materials, and trim details for all proposed buildings.

**Parking:** No off-street parking is required. Any voluntarily provided parking must meet the dimensional and circulation standards of AMC 18.4.3.

**Street Improvements/Street Trees:** City standards require development to provide full street frontage improvements (sidewalks, parkrow planting strips with irrigated street trees, streetlights, etc.) to city standards for the property’s full street frontage or request Exceptions to the Street Design Standards.

North Main Street is a boulevard or arterial as well as being a state highway under Oregon Department of Transportation jurisdiction and would generally require at least a six-foot width sidewalk and a seven- to eight-foot parkrow. City-standard improvements include:

TYPE OF STREET	AVERAGE DAILY TRIPS (ADT)	RIGHT-OF-WAY WIDTH	CURB-TO-CURB PAVEMENT WIDTH	WITHIN CURB-TO-CURB AREA				CURB on both sides	PARK-ROW on both sides	SIDE-WALKS on both sides
				MOTOR VEHICLE TRAVEL LANES	MEDIAN AND/OR CENTER TURN LANE	BIKE LANES on both sides	PARKING			
2-Lane Boulevard	8,000 to 30,000	61'-87'	34'	11'	none	6'	8'-9'	6"	5'-8' <sup>1</sup>	6'-10' <sup>2</sup>
3-Lane Boulevard		73'-99'	46'	11'	12'	6'	8'-9'	6"	5'-8' <sup>1</sup>	6'-10' <sup>2</sup>
5-Lane Boulevard		95'-121'	68'	11'	12'	6'	8'-9'	6"	5'-8' <sup>1</sup>	6'-10' <sup>2</sup>

Nursery Street is a residential neighborhood street and would generally require a five- to six-foot sidewalk and a seven- to eight-foot parkrow. City-standard improvements include: .

Neighborhood Street	less than 1,500				NA	NA <sup>3</sup>				
Parking One Side		47'-51'	22'	15' Queuing			7'	6"	5'-8' <sup>1</sup>	5'-6'
Neighborhood Street										
Parking Both Sides		50'-57'	25'-28'	11'-14' Queuing			7'	6"	5'-8' <sup>1</sup>	5'-6'

Existing frontages have narrow curbside sidewalks, curb and gutter, but no parkrow, street trees, or streetlights. If existing right-of-way is not sufficient, easements or dedications may be necessary.

Utilities will need to be located underground. Driveways must meet the separation and dimensional requirements as outlined in AMC 18.4.3, and all work in the right-of-way (curbs, gutters, sidewalks, parkrows, driveway aprons, etc.) must be permitted and inspected by Public Works.

**Tree Inventory/Preservation/Protection/Removal:** All planning actions are required to include a tree preservation/protection plan in accordance with AMC 18.4.5; this is intended to ensure that trees are protected during all site disturbance (including demolition, construction, driveway/parking installation, staging of materials, etc.) An inventory of all trees six inches in diameter at breast height

and greater on the property and within 15 feet of the property boundaries is required with the application under AMC 18.4.5. The inventory must include detailed information including but not limited to species, diameter at breast height, condition, and drip line/protection area of each tree. The plan must clearly identify trees to be preserved and how they will be protected and show those trees to be removed and address the tree removal permit requirements in AMC 18.5.7 for significant trees to be removed.

**Neighborhood Outreach:** Staff always recommend applicants approach the affected neighbors to discuss proposals and try to address any concerns as early in the process as possible. Notices will be sent to owners of neighboring properties within a 200-foot radius, signs posted on the site and advertised in the local newspaper once an application is deemed complete. In many cases, it is better if neighbors hear of the proposal from the applicants rather than by a formal notice from the city.

**Written Findings/Burden of Proof:** Applicants should be aware that written findings addressing the ordinance and all applicable criteria are required and are heavily depended on in the decision-making process for a planning action. In addition, the required plans are explained in writing below. The burden of proof is on the applicant(s) to ensure that all applicable criteria are addressed in writing and that all required plans, written findings, and other materials are submitted even if those items were not discussed in specific, itemized detail during this initial pre-application conference.

## OTHER DEPARTMENTS' COMMENTS

**FIRE DEPARTMENT:** Please contact Fire Chief Marshall Rasor of the Fire Department for any additional information at (541) 552-2219 or via e-mail to [rasor.marshall@ashland.or.us](mailto:rasor.marshall@ashland.or.us).

**BUILDING DEPARTMENT:** Per Section 6 of HB2138, the "Single Room Occupancy" provisions allow for up to six or fewer units to be designed as a single detached dwelling. SINGLE ROOM OCCUPANCIES SECTION 6. ORS 197A.430 is amended to read: "197A.430. (1) As used in this section, "single room occupancy" means a residential development with no fewer than four attached or detached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy. (2) Within an urban growth boundary, each local government shall allow the development of a single room occupancy: (a) With up to six units on each lot or parcel zoned to allow for the development of a detached [single-family] single-unit dwelling; and [(b) With the number of units consistent with the density standards of a lot or parcel zoned to allow for the development of residential dwellings with five or more units.] (b) With up to three times the number of units allowed by the maximum density standards of a lot or parcel on which is allowed multiunit housing with five or more dwelling units. (3)(a) For a single room occupancy, a local government may not require more parking for every three single room occupancy units than the local government requires for: (A) A single detached dwelling, if the single room occupancy development has six or fewer units; or (B) A dwelling unit in a multiunit housing development, if the single room occupancy development has more than six units. (b) This subsection does not apply to a single room occupancy used as a residential care facility as defined in ORS 443.400. SECTION 6a. A local government shall comply as described in ORS 197.646 (1) with the new requirements imposed under

*the amendments to ORS 197A.430 by section 6 of this 2025 Act on or before January 1, 2027.*” Please contact the Building Division for any additional information at (541) 488-5309.

**CONSERVATION DEPARTMENT:** For more information on currently available Conservation programs, please contact the City of Ashland Conservation Division at (541) 552-2062 or e-mail [Dan.Cunningham@ashland.or.us](mailto:Dan.Cunningham@ashland.or.us).

**PUBLIC WORKS DEPARTMENT:** For any further information, please contact Karl Johnson at (541) 552-2415 or via e-mail to: [karl.johnson@ashland.or.us](mailto:karl.johnson@ashland.or.us).

**ELECTRIC DEPARTMENT:** Please contact Rick Barton with the Electric Department at (541) 552-2082 to discuss service requirements and fees. An approved electric service plan is required to be included in the final application submittal for the application to be deemed complete.

**WATER AND SEWER SERVICE:** Please contact the Water Department at 541-488-5353 with any questions regarding water utilities.

## **ZONING DISTRICT REQUIREMENTS**

See Table 18.2.5.030.A. “Standards for Urban Residential Zones” for R-2 Zoning District

**Zoning:** R-2 Multi-Family Residential

**Landscaping Requirements:** 35 percent of the lot area. Size- and species-specific landscaping & irrigation plan required, including park rows and open space, at time of formal application. Avoid using lawn. Provide irrigation system. Include street trees, one per 30 feet of street frontage.

**Lot Coverage:** A maximum of 65 percent of the lot may be covered with building footprints, driveways, parking spaces and other lot coverage. Compliance with lot coverage standards should be demonstrated in the application.

**Setbacks:** Front yards shall be a minimum of 20 feet for all structure types in a historic district. Side yards require six feet; the side yard of a corner lot abutting a public street shall have a ten-foot setback; rear yard, ten feet plus ten feet for each story in excess of one story. In addition, the setbacks must comply with Chapter 18.4.8 which provides for Solar Access and 18.3.9 which requires perimeter setbacks.

## **APPLICATION SUBMITTAL REQUIREMENTS**

The application is required to include clear, legible, scalable drawings of the proposal (i.e. plan requirements) as well as written findings addressing the applicable approval criteria in accordance with the Ashland Land Use Ordinance (ALUO), Chapter 18 of the Ashland Municipal Code. The following sections include the requirements for plans and approval criteria which are applicable to the proposal as described in the pre-application submittals. When more than one planning approval is required for the proposal, multiple sections of the ALUO may apply. The burden of proof is on the applicant(s) to ensure that all applicable criteria are addressed in writing and that all required plans, written findings, and other materials are submitted even if those items were not discussed in specific, itemized detail during this initial pre-application conference. All submittals must also include:

1. **Application Form and Fee.** Applications for Type I and Type II review shall be made on forms provided by the Staff Advisor. One or more property owners of the property for which the planning

action is requested, and their authorized agent, as applicable, must sign the application. The required application fee must accompany the application for it to be considered complete.

2. **Submittal Information.** The application shall include all the following information.
- a. The information requested on the application form.
  - b. Plans and exhibits required for the specific approvals sought.
  - c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
  - d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
  - e. The required fee.

The Ashland Land Use Ordinance in its entirety may be accessed on-line at:

<https://ashland.municipal.codes/LandUse> .

**PLAN & EXHIBIT REQUIREMENTS:** *Digital copies that can be clearly replicated on paper no larger than 11"x 17" of the plans below. Note: These copies may be used for the Planning Commission packets and for the notices mailed to neighbors - please submit clear, readable, reproducible copies.*

- **Materials required for a Performance Standard Subdivision Plan approval as detailed in chapter 18.3.9.040.**
- **Materials required for Conditional Use Permit approval (if requests to exceed the MPFA are included) in chapter 18.5.4.040.**
- **Tree Protection Plan as required chapter 18.4.5.030.** A tree protection plan shall be approved by the Staff Advisor concurrent with applications for Type I, Type II, and Type III planning actions. If tree removal is proposed, a Tree Removal Permit pursuant to chapter 18.5.7 may be required.
- **Plans required for a Tree Removal Permit as required in chapter 18.5.7.030**

**RELEVANT CRITERIA AND STANDARDS:** Applicants are advised that in addition to required plans, written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are included below.

- **Written findings addressing the criteria from chapter 18.3.9.040.A.3 for Outline Plan approval.**
- **Written findings addressing the criteria from chapter 18.3.9.040.B.5 for Final Plan approval.**
- **Written findings addressing the criteria from chapter 18.5.4.050 for Conditional Use Permit approval.**
- **Written findings addressing the criteria from chapter 18.5.7.040.B.2. for Tree Removal Permit to remove a tree that is not a hazard (if applicable to the final proposal).**
- **Written findings addressing the criteria from chapter 18.4.6.020.B.1. for an Exception to Street Standards (if applicable to the final proposal).**
- **Written findings addressing the criteria from chapter 18.5.5.050. for a Variance for setbacks (if applicable to the final proposal).**

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<b>FEES:</b>	<i>(As applicable to the final proposals details)...</i>	
<input type="checkbox"/>	Final Plan with Outline	\$3,607.10 + \$180.60/lot
	If applied separately:	
	▪ Outline Plan for Subdivisions	\$2,827.65 + \$180.60/lot
	▪ Final Plan Performance Standards	\$1,349.60 + \$89.55/lot
<input type="checkbox"/>	Conditional Use Permit to Exceed MPFA:	\$2,827.65 (each, if applicable)
<input type="checkbox"/>	Type I Variance <i>(if applicable)</i> :	\$1,349.60
<input type="checkbox"/>	Exceptions <i>(if applicable)</i> :	\$0
<input type="checkbox"/>	Tree Removal Permits <i>(if applicable)</i> :	\$0

**\*NOTES:** Applications are accepted on a first-come-first served basis. All applications received are reviewed by staff and must be found to be complete before being processed or scheduled at a Planning Commission meeting. Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment. Applications are reviewed for completeness in accordance with ORS 227.178, and the first COMPLETE applications submitted are processed at the next available Planning Commission meeting.

<b><u>For further information, please contact:</u></b>	<u>October 8, 2025</u>
Veronica Allen, <i>Associate Planner</i>	Date
City of Ashland, Department of Community Development	
Phone: 541-552-2042 or e-mail: <a href="mailto:veronica.allen@ashland.or.us">veronica.allen@ashland.or.us</a>	